

1        **In the Claims**

2        Claims 9, 26, 31 and 34 have been amended.

3        Claims 9-15, 26, 27, 31, 34, and 49-54 remain in the application for  
4        consideration and are listed as follows:

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6        1.-8. (Canceled).

7  
8        9.        (Currently Amended) A method for facilitating speedy  
9        communication of packets between entities on a network through a  
10       communication device, the method comprising:

11       sending a set of packets from a sending entity to a receiving entity, wherein  
12       a transmission delay between packets in the set is intolerable;

13       immediately thereafter, sending at least one "push" packet to avert a  
14       transmission delay between packets in the set, wherein the "push" packet has a  
15       size selected ~~is specifically configured~~ to force the transmission of the set of  
16       packets by the communication device to avoid the transmission delay caused by  
17       packet buffering by the communication device on the network.

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19       10.       (Original) A method as recited in claim 9, wherein the set of packets  
20       includes two packets sent back-to-back.

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22       11.       (Original) A method as recited in claim 9, wherein the set of packets  
23       are bandwidth-measurement packets for measuring bandwidth between the  
24       sending entity and the receiving entity.  
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1           12. (Original) A method as recited in claim 9, wherein the  
2 communication device is a proxy server.

3  
4           13. (Original) A method as recited in claim 9, wherein the network is  
5 TCP.

6  
7           14. (Original) A program module having computer-executable  
8 instructions that, when executed by a computer, performs the method as recited in  
9 claim 9 at an application layer in accordance with an OSI model.

10  
11           15. (Original) A computer-readable medium having computer-  
12 executable instructions that, when executed by a computer, performs the method  
13 as recited in claim 9.

14  
15           16. – 25. (Canceled).

16  
17           26. (Currently Amended) A method for facilitating bandwidth  
18 measurement between two entities on a network through a communication device,  
19 the method comprising:

20           sending a pair of bandwidth-measurement packets from a sending entity to  
21 a receiving entity, wherein a transmission delay between packets in the pair is  
22 intolerable;

23           immediately thereafter, sending at least one “push” packet to avert a  
24 transmission delay between packets in the pair, wherein the “push” packet has a  
25 size selected ~~is specifically configured~~ to force the transmission of the set of

1 packets by the communication device to avoid the transmission delay caused by  
2 packet buffering by the communication device on the network.

3  
4 27. (Original) A method as recited in claim 26 further comprising  
5 receiving a bandwidth calculation based upon measurements related to the pair of  
6 packets.

7  
8 28. (Canceled).

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10 29. (Canceled).

11  
12 30. (Canceled).

13  
14 31. (Currently Amended) A computer-readable medium having  
15 computer-executable instructions that, when executed by a computer, perform a  
16 method to facilitate speedy communication of packets between entities on a  
17 network through a communication device, the method comprising:

18 sending a set of packets from a sending entity to a receiving entity, wherein  
19 a transmission delay between packets in the set is intolerable;

20 immediately thereafter, sending at least one "push" packet to avert a  
21 transmission delay between packets in the set, wherein the "push" packet has a  
22 size selected ~~is specifically configured~~ to force the transmission of the set of  
23 packets by the communication device to avoid the transmission delay caused by  
24 packet buffering by the communication device on the network.

1 32. (Canceled).

2  
3 33. (Canceled).

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5 34. (Currently Amended) An apparatus comprising:

6 a processor;

7 a transmission-delay avoider executable on the processor to:

8 send a set of packets from a sending entity to a receiving entity  
9 through a communication device, wherein a transmission delay between  
10 packets in the set is intolerable;

11 immediately thereafter, send at least one "push" packet to avert a  
12 transmission delay between packets in the set, wherein the "push" packet  
13 has a size selected ~~is specifically configured~~ to force the transmission of the  
14 set of packets by the communication device to avoid the transmission delay  
15 caused by packet buffering by the communication device on the network.  
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17  
18 35.-48. (Canceled).

19  
20 49. (Previously Presented) A method as recited in claim 9, wherein the  
21 "push" packet is sent from the sending entity.  
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23  
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1           50.   (Previously Presented) A method as recited in claim 9, wherein the  
2 communication comprises a device other than the sending entity or the receiving  
3 entity.  
4

5           51.   (Previously Presented) A method as recited in claim 9, wherein the  
6 packet buffering causing the transmission delay is characterized by a buffering  
7 action where one or more of the set of packets are buffered into a packet buffer,  
8 wherein the transmission delay is a result of the packet buffering.  
9

10          52.   (Previously Presented) A method as recited in claim 26, wherein the  
11 "push" packet is sent from the sending entity.  
12

13          53.   (Previously Presented) A method as recited in claim 26, wherein the  
14 communication device comprises a device other than the sending entity or the  
15 receiving entity.  
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17          54.   (Previously Presented) A method as recited in claim 26, wherein the  
18 packet buffering causing the transmission delay is characterized by a buffering  
19 action where one or more of the set of packets are buffered into a packet buffer,  
20 wherein the transmission delay is a result of the packet buffering.  
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